

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Christian Elijah Gary

Case: 2:22-mj-30267

Assigned To : Unassigned

Assign. Date : 6/9/2022

Case No. Description: RE: SEALED MATTER
(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 11, 2022 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*Special Agent Kyle Sise, A.T.F.*Printed name and title*Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: June 9, 2022City and state: Detroit, Michigan*Judge's signature*Hon. David R. Grand, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Kyle Sise, first being duly sworn, depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), United States Department of Justice, since November 2016, currently assigned to the Detroit Field Division. I am a graduate of the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment as a federal law enforcement officer, I have conducted and participated in several criminal investigations focused on illegal firearms and/or armed drug trafficking violations. Prior to my employment with ATF, I was employed by the Detroit Police Department for approximately seventeen (17) years as a Police Officer.
2. I make this affidavit from personal knowledge based on my participation in this investigation. This information comes from my personal observations, communications with other law enforcement officers, witnesses interviewed by law enforcement, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. The information outlined herein is provided for the limited purpose of establishing probable cause that Christian Elijah GARY (DOB XX/XX/1997), has violated Title 18 United States Code, Section 922(g)(1), Felon in Possession of a Firearm, and does not contain all details or facts known to law enforcement pertaining to this investigation.

PROBABLE CAUSE

4. I am currently involved in the investigation of a subject identified as Christian Elijah GARY concerning GARY's violation of federal firearms statutes.
5. On May 11, 2022, at approximately 2:56 p.m., Detroit Police Officer Patterson and Officer Richardson were in the area of Beaubien Blvd. and Mack Ave. in Detroit, Michigan. DPD Corporal (Cpl.) Penn observed an unknown male (later identified as GARY) carrying two handguns in his waist area. Cpl. Penn observed one handgun tucked under GARY's white shirt, and a second handgun with an extended magazine that was in plain view. Cpl. Penn advised of his observations and provided a description (black male wearing black jeans, a white t-shirt, and a black jacket) via radio. Cpl. Penn also provided the location of GARY who was walking in the area of East St. and Benton St.

6. Officer Patterson and Officer Richardson arrived at the location and Officer Patterson observed GARY walking south from Eliot St./ St. Antoine towards Benton St. Officer Patterson observed an extended pistol magazine in GARY's front left waistband area. As Officer Patterson observed the magazine protruding from GARY's waistband, Officer Patterson also observed GARY look in the direction of Officer Patterson's patrol vehicle. GARY immediately covered his waistband area with the left side of his jacket and turn the front side of his body away from the Officer's view. As Officer Patterson exited his patrol vehicle to further investigate GARY, GARY fled the location north on foot. Officer Patterson and Officer Richardson pursued GARY on foot. Officer Richardson observed GARY remove a handgun and drop it to the ground. Officer Patterson recovered a black Taurus, model G2c, 9mm semi-automatic pistol, serial number ACG014381, with an extended magazine laying in the grass in the area in which GARY dropped a handgun and continued fleeing.
7. Officer Patterson recovered the handgun and continued to pursue GARY on foot. Officer Patterson observed GARY running south on West St. and GARY was no longer wearing the black jacket. A short time later, Officer Patterson entered his patrol vehicle and then observed multiple Officers giving commands to occupants of a gold Lexus RX350 that was a short distance away. Officer Patterson moved to the location of the Lexus and observed GARY being ordered out of the driver side.

8. Officer Patterson conducted a pat down of GARY for additional weapons. During the pat down, Officer Patterson felt body armor under GARY's shirt. Officer Patterson lifted GARY's t-shirt and observed a tan color body armor vest on GARY's person. Officer Patterson escorted GARY to the back seat of his patrol vehicle. As GARY was being escorted to the patrol vehicle, he stated "I didn't want to get killed bro. That's why I threw them and ran." Officer Patterson arrived at a location on Eliot St. and observed several officers standing near GARY's black jacket along with a black and gray handgun. Officer Patterson recovered the black jacket and the black and gray Glock, model 19, 9mm caliber, semi-automatic pistol, serial number BBSR589.
9. Per LEIN, GARY did not have a valid Concealed Pistol License.
10. A review of GARY's criminal history revealed the below listed felony convictions:
 - 2018 – Felony Weapons Felony – 3rd Circuit Court, CFN: 18003451-01-FH
 - 2018 – Felony Controlled Substance – Del./ Mfg. (Cocaine, Heroin, or Another Narcotic) Less than 50 Grams – 3rd Circuit Court, CFN: 18003451-01-FH
 - 2018 – Felony Controlled Substance – Del./ Mfg. (Cocaine, Heroin, or Another Narcotic) Less than 50 Grams – 3rd Circuit Court, CFN: 1800700801

11. ATF Special Agent Kyle Sise consulted with certified firearms Interstate Nexus expert ATF Special Agent Joshua McLean, concerning the manufacture of the above-mentioned black Taurus, model G2C, 9mm caliber pistol, serial number ACG014381 and the above-mentioned black/gray Glock, model 19, 9mm caliber pistol, serial number BBSR589. Special Agent McLean stated that both firearms were manufactured outside the State of Michigan. Therefore, they traveled in and affected interstate commerce to reach the State of Michigan.

CONCLUSION

12. Based on the above stated facts, there is probable cause to believe that on May 11, 2022, in the Eastern District of Michigan, defendant Christian Elijah GARY, having been previously convicted of the above listed Felony offenses, all punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is, a black Taurus, model G2C, 9mm caliber pistol, serial number

ACG014381, and a black/gray Glock, model 19, 9mm caliber pistol, serial number BBSR589, which had been previously shipped and transported in interstate and/or foreign commerce, in violation of Title 18 United States Code, Section 922(g)(1).

Respectfully submitted:



Special Agent Kyle Sise
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn and subscribed to before me in my presence
and/or by reliable electronic means



HONORABLE DAVID R. GRAND
UNITED STATES MAGISTRATE JUDGE

June 9, 2022